

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IN RE TERRORIST ATTACK
ON SEPTEMBER 11, 2001

Civil Action No. 03 MDL 1570 (RCC)

This document relates to:

Federal Insurance Co., et al. v. Al Qaida, et al., Case No. 03-CV-6978

**NOTICE OF MOTION TO DISMISS OF AFRICAN MUSLIM AGENCY, GROVE
CORPORATE, INC., HERITAGE EDUCATION TRUST, INTERNATIONAL
INSTITUTE OF ISLAMIC THOUGHT, MAR-JAC INVESTMENTS, INC., MENA
CORPORATION, RESTON INVESTMENTS, INC., SAFA TRUST, STERLING
CHARITABLE GIFT FUND, STERLING MANAGEMENT GROUP, INC., YORK
FOUNDATION, AHMED TOTONJI AND MOHAMMED JAGHLIT PURSUANT TO
RULE 12(B)(6) FOR FAILURE TO STATE A CLAIM**

PLEASE TAKE NOTICE that pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and upon the memorandum of law attached hereto, the Defendants African Muslim Agency, Grove Corporate, Inc., Heritage Education Trust, International Institute of Islamic Thought, Mar-Jac Investments, Inc., Mena Corporation, Reston Investments, Inc., Safa Trust, Sterling Charitable Gift Fund, Sterling Management Group, Inc., York Foundation, Ahmed Totonji and Mohammed Jaghlit (the "Moving Defendants"), by and through undersigned counsel, will move the Court, before the Honorable Richard C. Casey, U.S.D.J., at the United States District Court, Southern District of New York, 500 Pearl Street, New York, New York, 10007, on at a date and time to be determined by the Court, for an order dismissing the First

Amended Complaint With Incorporated More Definite Statements, RICO Statements and Rule 15(d) Supplemental Pleadings for its failure to state a claim upon which relief can be granted.

Respectfully submitted,

Dated: October 18, 2005

By: /s/ Nancy Luque

Nancy Luque (NL-1012)
Jay Hanson (admitted *pro hac vice*)
Steven K. Barentzen (SB-8777)
DLA PIPER RUDNICK GRAY CARY US LLP
1200 Nineteenth Street
Washington, DC 20036-2247
Tel: 202-861-3900
Fax: 202-223-2085

*Attorneys for African Muslim Agency, Grove
Corporate, Inc., Heritage Education Trust,
International Institute of Islamic Thought, Mar-
Jac Investments, Inc., Mena Corporation, Reston
Investments, Inc., Safa Trust, Sterling Charitable
Gift Fund, Sterling Management Group, Inc.,
York Foundation, Ahmed Totonji and Mohammed
Jaghli*

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of October, 2005, I caused an electronic copy of the foregoing Notice Of Motion To Dismiss Of African Muslim Agency, Grove Corporate, Inc., Heritage Education Trust, International Institute Of Islamic Thought, Mar-Jac Investments, Inc., Mena Corporation, Reston Investments, Inc., Safa Trust, Sterling Charitable Gift Fund, Sterling Management Group, Inc., York Foundation, Ahmed Totonji and Mohammed Jaghlit Pursuant To Rule 12(B)(6) For Failure To State A Claim to be served by the Court's electronic filing system upon all parties scheduled for electronic notice.

/s/ Steven K. Barentzen
Steven K. Barentzen (SB-8777)